

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID BLISS, )  
                        )  
Plaintiff,         )                                  4:11CV3057  
                        )  
                        )  
v.                     )  
                        )  
BNSF RAILWAY COMPANY, )                                  AMENDED  
                        )  
                        )  
Defendant.         )

IT IS ORDERED that the final progression order is as follows:

a. The deadline for serving expert disclosures, (both retained experts, (Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts, (Fed. R.Civ. P. 26(a)(2)(C)), are:

For the plaintiff: November 1, 2011.  
For the defendants: December 15, 2011

- b. The deadline for completing discovery, including depositions, is January 27, 2012.
- c. The deadline for filing motions to dismiss, motions for summary judgment or motions to exclude expert testimony on *Daubert* and related grounds is February 23, 2012.
- d. Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.
- e. The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **May 31, 2012 at 9:00 a.m.**, and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on May 30, 2012. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.

- f. A conference with counsel will be held before Judge Urbom in chambers, Room 507, beginning at 8:30 a.m. on Lwpg"33, 2012.\*\*
- g. A jury trial is set to commence on June 11, 2012. No more than four days are allocated to the trial of this case and counsel shall plan accordingly. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one.

DATED this 2<sup>nd</sup> day of September, 2011.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

\*\*Amended to correct the date of the chambers conference to June 11, 2011, immediately prior to trial.